

REMARKS

This Amendment in an RCE is filed in response to the Final Action of March 11, 2009 in which claim 14 was withdrawn and claims 1-13 and 15-36 rejected.

In the Advisory Action of July 15, 2009, the Examiner disagreed with the applicant's position with regard to the Final Action of March 11, 2009 expressing the feeling that the Final Office Action adequately addresses the present invention with regards to the arguments in the after-final remarks sent to the Office on June 27, 2009.

The Examiner thus maintains his position although the sections in the cited art referred by the Examiner don't exactly teach each and every feature of the independent claims. Applicant still doubts that *Harumoto* teaches that the transmission order of data transmission units could be different from the decoding order and whether *Tomita* teaches the parameter indicative of the maximum number of data transmission units that precede any data transmission unit in a packet stream in the transmission order and follow the data transmission unit in the decoding order. The maximum number disclosed by *Tomita* is clearly different from the claimed parameter.

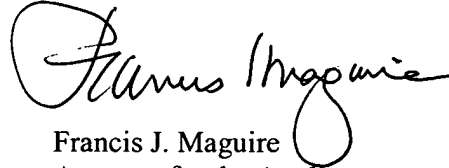
This amendment is provided to overcome the rejections. By the amendments applicant emphasizes that the parameter is to be provided to a decoder to determine buffering requirements. This is not taught by any of the cited references.

Moreover it is requested that the Examiner specifically consider again the points raised in the Request for Reconsideration filed June 15, 2009, especially the paragraph bridging pages 3 and 4, and specifically address same in his reply if a Notice of Allowance is not forthcoming in response to this amendment.

Withdrawal of the obviousness rejections in sections 5 and 6 of the Final Action is requested.

The rejections of the Office Action of March 11, 2009, having been obviated by amendment or shown to be inapplicable withdrawal thereof is requested and passage of all pending claims to issue is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire". The signature is fluid and cursive, with a large loop at the end of the last name.

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